



CONFIDENTIAL COMMUNICATION: ALL RIGHTS AND PRIVILEGES RESERVED


October 16, 2023

Via ECF

Hon. Ronnie Abrams
United States District Court Judge
Thurgood Marshall United States Courthouse
Southern District of New York
40 Foley Square
New York, NY 10007

Application granted. This action is hereby stayed; the parties shall file a joint status letter no later than November 15, 2023.

SO ORDERED.



Hon. Ronnie Abrams
October 17, 2023

Re: *Allied World Assurance Company (U.S.) Inc. vs. Berkshire Hathaway Direct Insurance Company*
Civil Action No. 1:23-cv-03801-RA

Dear Judge Abrams:

We represent Plaintiff, Allied World Assurance Company (U.S.), Inc. (“Allied World”), in the above-referenced matter. We write jointly with counsel for Defendant, Berkshire Hathaway Direct Insurance Company (“BHDIC”), to provide an update regarding the parties’ settlement-related discussions.

In an Order, dated September 18, 2023, Your Honor granted the parties’ request that this action be stayed for approximately four weeks, until October 16, 2023, so that the parties can continue their settlement-related efforts. On October 9, 2023, Defendant provided its response to Plaintiff’s initial settlement demand and the parties are continuing to confer with each other and their respective clients to determine whether a resolution can be reached. However, additional time is needed to continue and conclude these discussions.

Accordingly, Plaintiff and Defendant respectfully jointly request that the stay be extended for an additional 30 days to November 15, 2023, so that the parties can continue their settlement-related efforts. The parties also propose that an update regarding the status of discussions be provided by November 15, 2023. In the event resolution cannot be reached, as discussed during the Initial Conference, the parties anticipate seeking leave to file motions for summary judgment and, if necessary, will address whether discovery should proceed concurrently in any such requests.

Thank you for considering this request.

Respectfully submitted,

/s/ Jennifer Mindlin
Jennifer Mindlin
Counsel for Plaintiff

Respectfully submitted,

/s/ Jaimie Ginzberg
Jaimie Ginzberg
Counsel for Defendant

cc: All Counsel (via ECF)